



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Robert L. Morgan
State Engineer

1594 West North Temple, Suite 220
Box 146300
Salt Lake City, Utah 84114-6300
801-538-7240
801-538-7467 (Fax)

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TO THE LOWER FREMONT RIVER WATER USERS

There has been some concern expressed that the way the annual meetings are conducted does not give adequate representation to all the water users on the lower Fremont River.

In reviewing this concern, it appears to this office that there are two fairly distinct groups of water users within the distribution system with different and sometimes conflicting interests. These groups are divided between the water users on the lower end of the distribution system and the water users on the upper end of the distribution system.

In other distribution systems where this situation exists, that is where there are defined groups with definite differences, the water users have approved a modified procedure for conducting the meetings to try to ensure that all water users are represented as fairly as possible. The modified procedure consists of the water users voting as groups rather than voting as individuals. The members of each group decide among themselves (those in attendance at the meeting) how the group will vote and then one vote is cast for the entire group rather than each water user casting a vote. This process is used for approving the budget and for making the recommendation on who the commissioner should be. In each system where this procedure is used there are only two defined groups so the voting has to be unanimous for a decision to be made.

We believe this approach makes some sense because the two groups which appear to exist in the Lower Fremont Distribution System represent approximately an equal amount of water as described in their water rights, but there are more water users in the upper part of the system than in the lower part. Right now it appears that the membership of the two groups would be as follows:

Lower Group:

Hanksville Canal Company
Caineville Canal Company
Forrest Sims

Upper Group:

John Alexander
Mont Ellet
Navajo Trails Adventure Camp
Luva Jensen
Torrey Irrigation Company
Retha Shail
Kay Hickman

Wesley Chadburn
(Capitol Reef Natl. Mon. ??)
J Durfey
Derk Strickwerda
CEJA Corporation
Robert Lewis

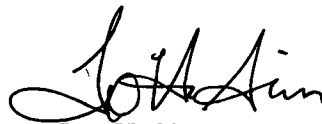
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Lower Fremont water users

I hope this explanation is clear enough to give you at least a rough idea of how the process would work. We are not requiring that this procedure be adopted on the Lower Fremont Distribution System, but we would like to discuss it at the beginning of the annual meeting. Please consider this proposal carefully. It probably should be implemented if either group feels strongly that it would be in their best interest.

If you have any questions concerning this issue before the meeting please contact me at (801)538-7380 or Kirk Forbush at (435)896-4429.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee H. Sim". The signature is fluid and cursive, with the first name "Lee" being the most prominent.

Lee H. Sim, P.E.

Assistant State Engineer
for Adjudication and Distribution

cc: Kirk Forbush
Bobby Edwards